UNITED
NATIONS

CRC

Convention on the
Rights of the Child

Distr.
GENERAL

CRC/C/SR.622
24 May 2000

Original: ENGLISH

COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-fourth session

SUMMARY RECORD OF THE 622nd MEETING

Held at the Palais Wilson, Geneva,
on Thursday, 18 May 2000, at 3 p.m.

Chairperson: Ms. OUEDRAOGO

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GE.00-42334 (E)

The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Second periodic report of Jordan (CRC/C/70/Add.4, HRI/CORE/1/Add.18/Rev.1, CRC/C/Q/JOR/2; written replies of Jordan to questions raised in the list of issues (document without a symbol, distributed in the meeting room in English only)) (continued)

1. At the invitation of the Chairperson, the members of the delegation of Jordan resumed places at the Committee table.

2. Mr. AL TAL (Jordan), replying to a question on the shariah, said that, although the precepts of Islam were clear and should be respected, they were sometimes misunderstood, often as a result of stereotyping. Discussions had taken place at various levels on the compatibility of Sharia with international instruments, most recently at a meeting of Islamic experts in Geneva.

3. The detention of women who had been raped was intended not as punishment, but as protection. Rape victims' lives might be in danger from acts of vengeance, and out of humanitarian and social concern they were placed in centres where they would be in safety. Those centres were not detention centres.

4. On the question of women transmitting their nationality to their children, he said that Jordanian law gave the father the right to pass on nationality. Women who were married to non-Jordanians had no such right, although it had sometimes been granted for humanitarian reasons. The question was currently of great concern to women's organizations and other NGOs.

5. In cases of divorce, the mother was given custody of the child but the father retained guardianship.

6. Punishment for crimes of honour was currently a subject of serious debate. Both men and women had taken part in a campaign for amendment of the legislation to provide for equal treatment of men and women and for heavier penalties. The bill currently before Parliament included such provisions.

7. The death penalty was never imposed on children.

8. He said that the Family Protection Unit was part of the Directorate of Public Security of the Ministry of Internal Affairs. It was not the only body working in the area of children's rights but it had executive authority to monitor and follow up cases of violence against children. It cooperated with governmental and non-governmental organizations. It was now studying the incidence of sexual violence against women. Two other units had been set up outside the capital in order to improve coverage.

9. Jordan had no special centres to protect women who were victims of violence, but serious consideration was being given to establishing such centres.

10. In rural areas there were a number of bodies, including units within the Ministry of Justice and various NGOs, which monitored cases of violence against children and violations of children's rights.

11. Abortion was prohibited in Jordan. A child's right to life started at conception and severe penalties were imposed on those performing abortions.

12. The deadline for registration of births was intended to encourage parents to register newborn children, but they did not lose the right to do so if they exceeded the time limit. According to statistics, 98 per cent of births in Jordan were registered.

13. With regard to Jordan's reservations to certain articles of the Convention, he said that Jordan's accession to any international instrument was subject to authorization by various bodies of social and legal experts, who gave serious consideration to such questions. Jordan respected the recommendations of the Committee, but would maintain its reservations for the moment.

14. All children, whether born in or out of wedlock, had the same rights under the Constitution and the law. The same applied to the children of different religions or communities. In that regard, Jordan complied fully with the relevant articles of the Universal Declaration of Human Rights. The right to freedom of religion, including the freedom to establish schools and religious courts, was also protected under the Constitution and those who violated that freedom were punished in accordance with the Penal Code. All religious associations and communities had to be registered by law in order to enjoy those rights and freedoms. The Baha'i enjoyed the same freedom of worship and had the same rights in terms of education, access to civil service positions, etc., as other groups in Jordan.

15. Traffic accidents were an increasing problem in Jordan owing to the rise in the number of vehicles on the road. Special workshops were being run to raise awareness among children, families and the traffic police and a media campaign had been launched.

16. The studies of domestic violence carried out to date were incomplete. A national survey was planned and statistics would then be produced. Corporal punishment was not widespread and was strictly prohibited in schools. However, it might occur in families, depending on their level of education.

17. With regard to children's right to be heard, under Jordanian law children must be allowed to give evidence if it was in their interests, and if they themselves were the subject of the case there was no need for them to swear an oath. It was for the court to assess the significance of a child's evidence.

18. If a husband and wife were of different religions, the wife could not inherit, but their children could. It was not, however, against the law for a man to make provision for his wife in his will.

19. Mr. RABAH asked whether it would be possible for the Government to establish a position of Ombudsman to examine children's complaints.

20. The law provided for free compulsory primary education, but what was the quality of the education provided in State schools? In that sense, could children at State schools be said to be equal to children at private schools? Were there any statistics on drop-out rates, particularly the rate for girls, who did not have the same opportunities to attend school as boys? Were children in rural areas given particular encouragement to attend school?

21. He asked whether juvenile offenders were afforded the possibility of appealing against their sentences? How were rehabilitation establishments run in Jordan? Were there any facilities for female juvenile offenders?

22. Mr. DOEK said that the Government had provided no specific data concerning the extent of the problems of child neglect and abuse, including sexual abuse. According to NGOs, two thirds of the sexual assaults reported to the police involved victims who were minors, as did one fourth of physical assaults. Were there any policies or programmes addressing that very serious problem, such as a reporting system or complaints mechanism? The Family Protection Unit did not appear to be very effective in identifying such cases. The United Nations Children's Fund (UNICEF) had produced a very useful manual on child neglect and abuse. Was that publication used by social workers?

23. The written replies to the list of issues set out an impressive list of services for disabled persons. It was not clear, however, to what extent such services were accessible to disabled children. According to the information made available to the Committee, only 20 per cent of disabled persons received planned and programmed care at institutions in the public and private sectors. Did the same proportion apply to disabled children? Could the delegation provide additional data on young people's access to reproductive health information and medical advice? According to the report, there were some two dozen institutions for vagrant children in Jordan. How did the Government address that problem?

24. Ms. MOKHUANE, noting that the Government had provided information on a number of accident prevention and health programmes, requested data on the programmes' success rates. The delegation had referred to steps taken by the Government to prevent the spread of HIV/AIDS from abroad. Did that mean that blood tests were administered to new arrivals? How were those measures taken in practical terms? She asked whether the prevention programme which aimed at stopping the transmission of the HIV/AIDS virus from a pregnant mother to her unborn child included the provision of drugs to help prevent transmission or was limited to counselling. It was very difficult to analyse the actual health situation of teenagers based upon the data furnished by the Government, which merely mentioned the various programmes implemented without describing their effective impact.

25. Mr. AL TAL (Jordan) said that the establishment of complaints offices to receive reports by children of abuse had been a major step forward. Such centres and the law enforcement services ran hotlines which received calls for help from all sources and referred cases to the Family Protection Unit, which also maintained a hotline.

26. The Education Act stipulated that schooling was mandatory for children up to the age of 16. While some children dropped out of school, the phenomenon was quite limited, and the Ministry of Education and other government services were working to combat it, through social

workers and school staff. He did not have precise statistics on the number of children who had re-enrolled in school as a result of those efforts. The main reasons for dropping out of school were related to poor academic performance and to family circumstances. According to the latest available statistics, which related to 1996 and 1997, the overall drop-out rate had stood at 0.9 per cent. The rate was higher for boys because boys were more often compelled by family responsibilities to work or sell goods in the street. The drop-out rate was generally higher in the older age groups, and one of the reasons for the rate of nearly 2 per cent among girls at the secondary level might be early marriage.

27. With some 33 per cent of the country's population enrolled in school, the education system played an extremely important role in the implementation of the Government's policy of openness and economic liberalization. Secondary school test results had shown that many children enrolled in State schools outside the capital performed as well or better than those in private schools. A decision had recently been taken to introduce foreign language studies in State schools from the first year of schooling and to place more emphasis on science and technology.

28. Recent statistics indicated that violence against children was rising, especially in Amman. However, the higher statistics also reflected a growing awareness of the problem and of the role of institutions set up to deal with it. In particular, the Government had initiated an awareness programme aimed at informing judges, policemen, social workers and others about the problem of violence against children, and was working with NGOs and UNICEF to combat it. Several NGOs were able to receive complaints, and one had proposed certain legislative changes.

The meeting was suspended at 4.10 p.m. and resumed at 4.25 p.m.

29. Mr. AL TAL (Jordan) said that special legal procedures existed for trying minors. The first procedure involved transforming a court which was hearing a case involving a minor into a juvenile court. If the court found the juvenile offender responsible for the offence, he or she was sent to a juvenile remand home for a period commensurate with the offence. The main objective of such homes, which were staffed by rehabilitation professionals, was to provide guidance and vocational training to permit juvenile offenders to become full-fledged members of society. When an offender's behaviour so permitted, the supervisors of the remand home authorized attendance at the educational establishment located closest to the institution.

30. Most cases involving street children resulted from broken homes. Social centres and specialized agencies provided a wide range of services to street children, including educational assistance, protection and health care. He could not provide precise statistics on the problem. About 20 per cent of disabled Jordanians received services through centres for the disabled, generally only those whose families, for economic or social reasons, could not provide sufficient care.

31. The AIDS epidemic was still somewhat limited in Jordan; approximately 150 persons had been infected with HIV or had developed AIDS. People arriving in the country were not subjected to blood tests or any other special checks at border crossings. However, if there was suspicion that a specific person residing in Jordan was infected with the virus, that person would

have to undergo the necessary tests . The Government felt that the best way to prevent AIDS was through awareness. A programme aimed at informing youths of the risks of AIDS was currently under consideration. Publications and manuals on AIDS were distributed to Jordanian youth, and seminars were held throughout the country.

32. He could not provide precise statistics regarding the exploitation of minors and violence committed against them, but he could state that any person, doctor, social worker or law enforcement officer learning of such a case would be obliged to report it. Failure to do so was punishable by law.

33. The positive results of the programmes introduced for the benefit of children were reflected in the statistics provided in the report, such as the fall in the illiteracy and child mortality rates and the increase in the school enrolment rate.

34. Mr. FULCI cited independent sources as stating that many children in remote areas of Jordan, particularly those from Bedouin communities, did not go to school. In addition, increasing numbers of children were begging or peddling in the country's large cities. A national workshop held in 1998 had prepared a plan of action to address the problem of child labour and he would like to know whether that plan was being implemented. He also asked whether Jordan was planning to ratify the International Labour Organization (ILO) Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

35. Ms. MOKHUANE, noting that education was compulsory up to the age of 17, asked whether teenage girls who became pregnant were permitted to stay at school and, if not, whether alternative forms of education were available to them. Given the traditionally negative attitude in Jordan towards having children out of wedlock, she would like to know whether responsible teenagers who wanted to protect themselves from pregnancy were able to obtain free contraceptives. She also asked what measures were in place to prevent child prostitution and pornography, as no information on those two subjects was given in the report.

36. Ms. RILANTONO, noting that there were about 2,000 child beggars in Jordan and that a total of 611 had been arrested in 1997, asked whether such children were subject to legal proceedings after arrest. She would also like to know what arrangements were in place to provide education for refugees. As the high cost of vaccines had been cited as an impediment to their widespread use, she would like to know whether vaccines were produced domestically in an effort to reduce costs.

37. Mr. DOEK said that statistics provided in the report showed that, in 1996, 13 per cent of boys aged 15 and 16 and 1 per cent of girls in the same age group had been working, yet the report stated elsewhere that education was compulsory up to the age of 17. He would like to know whether the Government was taking any action to prevent children being employed before the end of their compulsory education.

38. The written reply to question 17 described the provision made for registered refugees; however, according to other sources of information, there were many non-registered refugees in Jordan, including 180,000 Palestinians living in poor conditions in unofficial refugee camps and

a substantial number of Iraqi refugees. While he recognized the scale of the refugee problem the country faced, he would appreciate further information about the situation of non-registered refugees and about the Government's policy in that regard.

39. According to information he had obtained, there were some cases of polygamy in Jordan. He requested more information from the delegation on that subject, particularly as polygamy could have a negative impact on children.

40. Regarding institutions for children, he asked whether it was true that juvenile delinquents, children with family problems and child victims of violence were all placed together in such institutions. Were their different problems and needs addressed separately?

41. Mr. RABAH asked whether steps were being taken in Jordan to reduce the effects of leaded petrol, the fumes of which constituted a risk to the health of young people in particular. There were reports of a number of cases of contamination of breast milk with pesticides such as DDT. He wondered whether it was wise to encourage breastfeeding in such cases and asked whether the Government had taken steps to address the problem of pesticide contamination. The fact that smoking of both tobacco and narghiles was widespread among young people in Jordan also gave cause for concern, as smoking had a harmful effect on health.

42. Ms. EL GUINDI said that the fact that the school enrolment rate was higher among girls than among boys suggested that a significant proportion of school-age boys were working, even though it was against the law. She would like to know what measures were in place to protect child workers.

43. Ms. KARP said that the Committee had produced concluding observations on the initial report of Jordan in 1994, yet the second periodic report stated that amendments to the juvenile justice system were still to be debated in Parliament. She would like to know why, in the six years since discussion of the initial report, no legislation had been approved and what obstacles to that process were being encountered.

44. Regarding education, she asked in what way the right to play was taken into account in the policies and practices of the Ministry of Education. She would also like to know whether the teaching of children's rights formed part of teacher training.

45. She requested information about the effect given to complaints of violations of children's rights which had been dealt with by authorities other than the Family Protection Unit. She also wondered whether a study had been conducted in Jordan on the commercial sexual exploitation of children and whether the country had participated in the World Congress against Commercial Sexual Exploitation of Children, held in Stockholm in 1996. She would also like to know whether national legislation afforded boys the same protection against sexual exploitation as girls.

46. Ms. MOKHUANE requested further information on the extent of the problem of substance abuse and asked whether there were any programmes aimed at young people in that

regard. Certain NGOs had expressed concern at the large number of young people in Jordan who smoked. She would like to know whether any public health programmes had been set up to combat that problem and, if so, what results they had achieved.

47. Ms. TIGERSTEDT-TÄHTELÄ noted with interest that the comments of NGOs were contained in an appendix to the report, whereas States parties usually incorporated NGO input into the main body of the report. She would like to know why Jordan had chosen to present NGO input in that way. It seemed that various NGOs were active in Jordan, but that their activities did not always lead to concrete action at a political level. She wondered whether political will was lacking in that respect.

48. The CHAIRPERSON, noting that men in Jordan had the right to divorce their wives without informing them, said that such a course of action might have an adverse effect on the children involved. She would like to know whether the State party planned to review its legislation in that regard.

The meeting was suspended at 5 p.m. and resumed at 5.10 p.m.

49. Mr. AL TAL (Jordan) said that the law granted both spouses the right to file for divorce if their marriage had irretrievably broken down.

50. It was true that children worked, for example as peddlers, in certain remote rural areas. However, the Government was attempting to address that problem through various measures, such as the recent introduction of a policy aimed at encouraging nomads to settle in one place. A legislative amendment had been drafted imposing penalties on the parents of children who worked.

51. The National Plan of Action for Children had set ambitious objectives, but the resources available to implement it were insufficient and the assistance of international organizations was needed in that regard. Nonetheless, the Government had begun implementing aspects of the plan where possible.

52. Jordan had recently ratified the ILO Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

53. Married teenage girls who became pregnant were permitted to continue their schooling; the problem of unmarried teenage mothers did not exist in Jordan. Because of the country's religion and customs, sexual exploitation of children also did not occur. However, the law provided for severe penalties in the event that sexual exploitation of children occurred.

54. Vaccinations were imported into Jordan and were expensive: 90 per cent of the MMR (Measles, Mumps, Rubella) vaccines had been distributed.

55. Turning to refugees, he said that in accordance with a General Assembly resolution, all Palestinian refugees were officially registered. Since 1967, some Palestinians had returned to

their homes, but Jordan was also a place of transit for refugees from other countries. The authorities had signed two conventions with the Office of the United Nations High Commissioner for Refugees, affording it unobstructed access to refugees.

56. The type of centres in which young male and female offenders were detained depended on the category of offence. While facilities were by no means adequate, offenders were placed in appropriate groups for training and social reintegration programmes.

57. Replying to a question by Mr. Rabah, he said his country had become increasingly aware in recent decades of the many environmental crises to which the planet was subject. Since the Rio Conference, Jordan had established an environmental plan and set up environmental institutions. Many environmental problems were cross-border phenomena, but Jordan had long ago enacted legislative and other provisions governing the use of pesticides. The use of unleaded petrol was still its early stages, but numerous other measures were in place to combat water, air and waste pollution. Legislative amendments had been enacted to prohibit tobacco advertising and smoking in public places. Many universities, government offices and private firms were already smoke-free.

58. Child labour was a twofold problem. Although the minimum age for employment was 16, parents in difficult economic and social circumstances often ignored the legislation and permitted their children to work. However, children were not permitted to engage in hazardous or night work or to work excessively long hours. Jordan was endeavouring to meet certain priorities, but because it aimed for transparency and consultation, bills were always aired in the media and discussed by governmental and other bodies; they could be returned to the lawmakers for redrafting, which could be a lengthy process.

59. He assured the Committee that child sexual exploitation was unknown in Jordan. Being a transit country with a young people, Jordan did have a very limited drug abuse problem and was implementing programmes to combat the scourge. Polygamy, which occurred rarely and only in certain rural areas, had little impact on the lives of children.

60. The CHAIRPERSON invited the Committee members to put follow-up questions to the delegation of Jordan.

61. Ms. MOKHUANE asked whether the recommendations of the youth forum concerning the inadequacy of the resources earmarked for children's mental health problems - especially psychological stress - and the scant involvement of young people in priority-setting were being implemented and how teenagers' mental health concerns were generally addressed. She reiterated her earlier question concerning substance abuse.

62. Mr. FULCI asked whether a study had been undertaken to determine the cause of the reportedly alarming rate of cancer among children and juveniles.

63. The CHAIRPERSON asked whether sports services for girls were adequate. As Jordanian traditions appeared to place restrictions on the movements of girls, she wondered

whether there was a contradiction between their education and the situation in the country. What measures were being taken to ensure more balanced representation of girls on professional training courses?

64. Ms. KARP reiterated her question concerning children's right to play.

65. Mr. AL TAL (Jordan) acknowledged that cancer was spreading at a disturbing rate among children and adults alike. Numerous causes, such as solar radiation and pesticides, had been identified, but Jordan had been one of the first countries to establish a modern, well-equipped cancer centre.

66. He assured the Committee that there was no restriction whatsoever on girls' practice of sports. Participation in sports was open to all and was strongly encouraged in schools and clubs. His country monitored and supported sporting events in the Arab world and elsewhere and was represented by many female teams and teams for disabled women as well as men. In some circles female sports were discouraged owing to social traditions. The right existed in theory even if people could not be compelled to exercise it.

67. Owing to the transparency invariably practised by Jordan, NGOs were free to monitor respect for children's rights and file reports independently of those submitted by the Government, hence the leading role they played in that field.

68. The questions concerning health care and mental health had been answered in the report. Jordan was implementing ambitious projects on social spending, which would require enhanced efforts on the part of the Government and NGOs. Lack of resources was a major handicap. For example, the debt service bill for 2000 was equivalent to three years' social spending.

69. The CHAIRPERSON invited Ms. El Guindi, as Country Rapporteur, to summarize the Committee's preliminary conclusions on the initial report of Jordan.

70. Ms. EL GUINDI (Country Rapporteur) expressed the view that the dialogue between the Jordanian delegation and the Committee had been a productive and informative one which had shown the country's political will to protect its children, despite its debt and structural adjustment difficulties.

71. Among the positive trends, Jordan's imminent compilation of all laws relating to children would be instrumental in publicizing the provisions of the Convention, and there was an active movement among civil society and women's organizations to correct the negative trends that affected children's lives.

72. On the negative side, Islamic customs and traditions clearly had an adverse impact on the lives of women and children; she recommended that the authorities act more energetically and positively to transform those customs, involving men in the process. Jordan should also follow the reporting guidelines more closely in order to facilitate the Committee's task. All countries suffered financial constraints, but the wisdom was needed to allocate scant resources in the manner most beneficial to children. The authorities should also ensure that provisions which discriminated against women and girls were removed from the Penal Code.

73. She hoped that the Committee's concluding observations, which the authorities would shortly receive, would help Jordan give its children all they required for their well-being.

74. Mr. AL TAL (Jordan) praised the Chairperson for the positive manner in which she had led the discussions, and the Committee members for their helpful suggestions. The Government would take all their comments into account. As Ms. El Guindi had observed, while a political commitment existed, it was perhaps necessary for resources to be redeployed. In Jordan's view governmental, intergovernmental and non-governmental organizations and civil society as a whole were the country's partners; he called on them to take the initiative in helping ensure respect for children's rights.

75. Mr. FULCI asked the delegation to seek the Jordanian authorities' support for the draft resolution to increase the Committee's membership.

76. The CHAIRPERSON reiterated the areas which Committee members had stressed as requiring more vigorous action, among them corporal punishment, the environment and child labour. She commended the delegation on its presentation and replies and praised the authorities for their evident resolve to protect the children of Jordan.

The meeting rose at 5.55 p.m.